NRO-106-12

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE
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Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

Thomas A. Faha
Regional Director

Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9VAC5-80-50 through 9VAC5-80-300, of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	TransMontaigne Operating Company, L.P.
Facility Name:	Fairfax Terminal
Facility Location:	3790 Pickett Road Fairfax, Virginia 22031

Registration Number:	70306
Permit Number:	NRO70306

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Sections I through VII)
State Only Enforceable Requirements (Section VIII)

May 18, 2012
Effective Date

May 17, 2017
Expiration Date

Thomas A. Faha
Regional Director, Department of Environmental Quality

Signature Date

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I. Facility Information

Permittee
TransMontaigne Operating Company, L.P.
P. O. Box 5660
Denver, Colorado 80217-5660

Responsible Official
Mr. Dudley Tarlton
Vice President of Environmental, Safety, and Occupational Health

Facility
TransMontaigne Operating Company, L.P. – Fairfax Terminal
3790 Pickett Road
Fairfax, Virginia 22031

Contact Person
Kevin Kickham
Air Quality Specialists
(303) 860-5128

County-Plant Identification Number: 51-059-0082

Facility Description: NAICS 424710 – The facility is a petroleum liquids storage and distribution facility with a potential to operate 8760 hours per year. It is comprised of nine (9) vertical fixed roof tanks equipped with internal floating roofs with mechanical seals which may store gasoline or lower vapor pressure products, including ethanol products, five (5) vertical fixed roof tanks for storing distillates, additives, or water, and three (3) tanks for storing additives, low sulfur diesel fuel, or Jet A fuel. The facility has one loading rack that may load gasoline or lower vapor pressure products, ethanol, or distillate products. It is comprised of five lanes with twenty-three loading arms, and it is connected to a vapor combustion unit (VCU), and properly equipped to dispense gasoline or other organic liquids with vapor pressures greater than 1.5 pounds per square inch (psi). All five lanes are equipped with bottom filling supply lines. The source is located in an ozone non-attainment area, and it is not a prevention of significant deterioration (PSD) source. The facility was previously permitted under a minor source permit to construct and operate two 80,000 barrel (internal) floating roof tanks (TK-111 and TK-112). The permit was issued on September 5, 1974. These two tanks are subject to 40 CFR 60, Subpart K. The loading rack is subject to 40 CFR 60, Subpart XX. All other facilities at this source are subject to 40 CFR 63, Subpart BBBBBB. Prior appropriate notifications have been made to establish this facility as exempt from 40 CFR 63, Subpart R.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
TK-101	N/A	Fixed Roof Petroleum liquid storage tank.	2,438,184 gal	Internal floating roof w/primary and secondary seals.	-----	Volatile organic Compound (VOC)	November 29, 2011
TK-102	N/A	Fixed Roof Petroleum liquid storage tank.	2,438,184 gal	Internal floating roof w/primary and secondary seals.	-----	VOC	November 29, 2011
TK-104	N/A	Fixed Roof Petroleum liquid storage tank.	2,438,184 gal	Internal floating roof w/primary and secondary seals.	-----	VOC	November 29, 2011
TK-105	N/A	Fixed Roof Petroleum liquid storage tank.	2,438,184 gal	Internal floating roof w/primary and secondary seals.	-----	VOC	November 29, 2011
TK-106	N/A	Fixed Roof Petroleum liquid storage tank.	211,092 gal	Internal floating roof w/primary and secondary seals.	-----	VOC	November 29, 2011
TK-109	N/A	Fixed Roof Petroleum liquid storage tank.	602,196 gal	Internal floating roof w/primary and secondary seals.	-----	VOC	November 29, 2011
TK-110	N/A	Fixed Roof Petroleum liquid storage tank.	846,006 gal	Internal floating roof w/primary and secondary seals.	-----	VOC	November 29, 2011

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
TK-111	N/A	Fixed Roof Petroleum liquid storage tank.	3,384,108 gal	Internal floating roof w/primary and secondary seals.	-----	VOC	November 29, 2011
TK-112	N/A	Fixed Roof Petroleum liquid storage tank.	3,384,108 gal	Internal floating roof w/primary and secondary seals.	-----	VOC	November 29, 2011
LR-1	VCU	Truck Loading Rack	120,000 gal/hr	Vapor collection system and a vapor combustion unit	VCU	VOC	November 29, 2011

Specifications included in the permit under this Condition are for informational purposes only and do not form enforceable terms or conditions of the permit unless the specifications are needed to form the basis for one or more of the other terms or conditions in the permit.

III. Process Equipment Requirements – Tanks and Loading Rack

A. Limitations – Tanks

1. VOC emissions from the Tanks (TK-101, TK-102, TK-104, TK-105, TK-106, TK-109, TK-110, TK-111, and TK-112) shall be controlled by internal floating roof (IFR) with primary and secondary seals resting on the surface of the stored liquid and equipped with a closure seal(s) system to close the space between the roof edge and the tank shell. The tanks shall be provided with adequate access for inspection.

(9VAC5-80-110, 9VAC5-40-5220, 9VAC5-40-5230, and Condition 2 of the November 29, 2011 NSR Permit)

2. All tank gauging and sampling devices should be vapor tight except when gauging or sampling is taking place.

(9VAC5-80-110 and Condition 2 of the November 29, 2011 NSR Permit NSR Permit)

3. All openings, except stub drains, should be equipped with a cover, seal, or lid. The cover, seal, or lid should be in a closed position at all times, except when the device is in actual use. Automatic bleeder vents should be closed at all times except when the roof is floated off or landed on the roof leg supports. Rim vents, if provided, should be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.

(9VAC5-80-110, 9VAC5-40-5230, and Condition 3 of the September 29, 2000 Title V permit amended July 18, 2003)

4. Tanks must be painted white, light pastel or light metallic. The coating must be in good condition.

(9VAC5-80-110 and Condition 2 of the November 29, 2011 NSR Permit)

5. Emissions from the operation of the tanks shall not exceed the limits specified below:

   Volatile Organic Compounds 55.13 tons/yr

   These emissions are derived from the estimated overall emission contribution resulting from tank standing loss, tank working loss, and roof landing loss based upon the throughput specified in Conditions III.B.1 and III.B.2 of this permit. Compliance shall be demonstrated by recordkeeping in accordance with Condition 19 of the November 29, 2011 NSR Permit.

(9VAC5-80-110, and Condition 12 of the November 29, 2011 NSR Permit)

6. Requirements by Reference - Except where this permit is more restrictive than the applicable requirement, the NSPS equipment (Ref. No. TK-111 and TK-112) shall be operated in compliance with the requirements of 40 CFR Part 60 Subparts K – (Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973).

(9VAC5-80-110 and Condition 10 of the November 29, 2011 NSR Permit)

B. Limitations – Loading Rack

1. Fuel Throughput – The combined annual throughput of gasoline and lower vapor pressure products (ethanol, gasoline-ethanol blends, and other products with a vapor pressure greater than 1.5 psi) through the tank truck loading rack (Ref. LR-1) shall be limited to 1,000,000,000 gallons calculated monthly as the sum of each consecutive 12-month period.

(9VAC5-80-110, and Condition 5 of the November 29, 2011 NSR Permit)

2. Fuel Throughput – The annual throughput of distillate through the tank truck loading rack (Ref. LR-1) shall be limited to 1,150,000,000 gallons calculated monthly as the sum of each consecutive 12-month period.

(9VAC5-80-110, and Condition 6 of the November 29, 2011 NSR Permit)

3. VOC emissions from the loading rack (LR-1) shall be controlled by a vapor control unit (VCU).

(9VAC5-80-110, and Condition 3 of the November 29, 2011 NSR Permit)

4. Emissions of VOCs from the loading rack shall not exceed 10 mg/liter of gasoline throughput. Annual VOC emissions from the operation of the loading rack shall not exceed 42.19 tons/yr.

(9VAC5-80-110, and Condition 11 of the November 29, 2011 NSR Permit)

5. These emissions are derived from the estimated overall emission contribution from the fuel throughput limits specified in Condition III.B.1 and Condition III.B.2 above. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits.

(9VAC5-80-110 and Conditions 3 and 11 of the November 29, 2011 NSR Permit)

6. Compliance with these emission limits shall be demonstrated by annual performance testing as described in Condition III.G.1-6 of this permit `and recordkeeping in accordance with Condition III.E.1 of this permit.

(9VAC5-80-110 and Conditions 3 and 11 of the November 29, 2011 NSR Permit)

7. No owner or other person shall use or permit the use of any tank truck or account truck that is loaded or unloaded at gasoline bulk loading facilities unless such truck is designed, maintained, and certified to be vapor tight. In addition, there shall be no avoidable visible liquid leaks.

(9VAC5-80-110 and Condition 8 of the November 29, 2011 NSR Permit)

8. Vapor-laden tank trucks or account trucks exclusively serving gasoline bulk loading facilities may be refilled only at the loading rack when the vapor collection system and VCU control device are in operation.

(9VAC5-80-110 and Condition 8 of the November 29, 2011 NSR Permit)

9. Tank truck and account truck hatches shall be closed at all times during loading and unloading operations (periods during which there is liquid flow into or out of the truck) at gasoline bulk loading facilities.

(9VAC5-80-110 and Condition 8 of the November 29, 2011 NSR Permit)

10. Requirements by Reference - Except where this permit is more restrictive than the applicable requirement, the NSPS equipment (Ref. N0. LR-1) shall be operated in compliance with the requirements of 40 CFR Part 60 Subparts XX – (Standards of Performance for Bulk Gasoline Terminals).

(9VAC5-80-110 and Condition 9 of the November 29, 2011 NSR Permit)

C. Monitoring – Tanks

1. Annual Inspection – The tanks equipped with internal floating roofs, TK-101, TK-102, TK-104, TK-105, TK-106, TK-109, TK-110, TK-111, and TK-112 shall be visually inspected annually. The inspections shall be made through available roof hatches and manholes located on the fixed roofs of the tanks and shall include, but not limited to the following areas:

   a. The cover should be uniformly floating on or above the liquid and there should be no visible defects in the surface of the cover or liquid accumulated on the cover.

   b. The seal must be intact and uniformly in place around the circumference of the cover and seal between the cover and the tank wall.

(9VAC5-80-110 and Condition 15 of the November 29, 2011 NSR Permit)

2. If holes or tears in the cover or seal material, or liquid are observed on the cover, the owner/operator shall empty and remove the tank from service within forty-five days and make repairs as necessary.

(9VAC5-80-110 and Condition 15 of the November 29, 2011 NSR Permit)

3. If a failure that is detected during the inspection cannot be repaired within forty-five days, or if the tank cannot be emptied within forty-five days in order to make repairs, a thirty day extension may be requested from the Regional Air Compliance Manager of the Department of Environmental Quality's (DEQ) Northern Regional Office (NRO), in writing at:

   Regional Air Compliance Manager
   Department of Environmental Quality
   Northern Regional Office
   13901 Crown Court
   Woodbridge, VA 22193

   the address given above. An extension request must be made in writing and certify that alternate storage capacity is unavailable. A schedule for completing the necessary repairs must accompany such requests.

(9VAC5-80-110 and 9VAC5-40-5220)

4. Following tank empting or degassing an inspection shall be made of the internal floating roof, the primary seal, the secondary seal (if equipped), gaskets, slotted membranes, and sleeve seals (if any) of each tank each time it is emptied and degassed and taken out of service for maintenance, an emergency, or similar purpose. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or seal fabric, or the gaskets no longer close off the liquid surface from the atmosphere, or the slotted membrane has more than 10% open area, the owner/operator shall repair the items as necessary so that none of the anomalies specified herein shall exist when the tank is refilled. These inspections are applicable to TK-101, TK-102, TK-104, TK-105, TK-106, TK-109, TK-110, TK-111, and TK-112. In no case shall these inspections occur at an interval greater than 10 years

(9VAC5-80-110, 9VAC5-40-5220, and Condition 16 of the November 29, 2011 NSR Permit)

5. Maintain records of the throughput quantities and types of petroleum liquids stored, the average monthly storage temperature and true vapor pressure of the liquid as stored, and the results of the inspections performed under the provisions of 9VAC5-40-5220.

(9VAC5-80-110, 9VAC5-40-5220, and Condition 15 of the November 29, 2011 NSR Permit)

D. Monitoring – Loading Rack (LR-1)

1. Compliance Assurance Monitoring (CAM) - The permittee shall monitor, operate, calibrate and maintain a temperature monitoring system or an ultraviolet sensing system to verify the presence of flame during the operation of the VCU according to one of the following methods any time the VCU is in operation:

Monitoring, Frequency, Records	Performance Criteria	Indicator Range; Averaging Period
Hourly while VCU is in operation; or	Manually verify that the temperature indicates a flame in the exhaust of the VCU or the ultraviolet sensor verifies a flame in the VCU	Instantaneous verification
Continuously monitoring and recording 24-hours per day	Verify that the temperature indicates a flame in the exhaust of the VCU or the ultraviolet sensor verifies a flame in the VCU	Continuous recording on a twenty-four hour chart or continuously stored electronically for inspection

(9VAC5-80-110 E, 40 CFR 64.6 (c), and Condition 14 of the November 29, 2011 NSR Permit)

2. Compliance Assurance Monitoring (CAM) - The permittee shall conduct the monitoring and fulfill the other obligations specified in 40 CFR 64.7 through 40 CFR 64.9.

(9VAC5-80-110 E, 40 CFR 64.6 (c))

3. Compliance Assurance Monitoring (CAM) - At all times, the permittee shall maintain the monitoring equipment, including, but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.

(9VAC5-80-110 E, 40 CFR 64.6 (c))

4. Compliance Assurance Monitoring (CAM) - Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the VCU CAM is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of compliance assurance monitoring, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The permittee shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by inadequate maintenance or improper operation are not malfunctions.

(9VAC5-80-110 E, 40 CFR 64.6 (c))

5. Compliance Assurance Monitoring (CAM) - Upon detecting an excursion or exceedance, the permittee shall restore operation of the VCU (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup and shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator, designated condition, or below the applicable emission limitation or standard, as applicable.

(9VAC5-80-110 E, 40 CFR 64.6 (c))

6. Compliance Assurance Monitoring (CAM) - Determination that acceptable procedures were used in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.

(9VAC5-80-110 E, 40 CFR 64.6 (c))

7. Compliance Assurance Monitoring (CAM) - If the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly notify the Regional Air Compliance Manager of the DEQs NRO, in writing at the address given in Condition III.C.3 of this permit and, if necessary, submit a proposed modification to this permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

(9VAC5-80-110 E, 40 CFR 64.6 (c))

8. Compliance Assurance Monitoring (CAM) - If the number of exceedances or excursions exceeds 5 percent duration of the operating time for the VCU for a semiannual reporting period, the permittee shall develop, implement and maintain a Quality Improvement Plan (QIP) in accordance with 40 CFR 64.8. If a QIP is required, the permittee shall have it available for inspection. The QIP initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the permittee shall modify the plan to include procedures for conducting one or more of the following, as appropriate:

    a. Improved preventative maintenance practices;

    b. Process operation changes;

    c. Appropriate improvements to control methods;

    d. Other steps appropriate to correct control performance; and

    e. More frequent or improved monitoring.

(9VAC5-80-110 E, 40 CFR 64.6 (c))

E. Recordkeeping – Tanks

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Regional Air Compliance Manager of the DEQs NRO. These records shall include, but are not limited to:

    a. The monthly throughput of gasoline or lower vapor pressure products and ethanol through the storage tanks.

    b. The annual throughput of gasoline or lower vapor pressure products and ethanol through the storage tanks calculated monthly as the sum of each consecutive 12-

month period. Compliance with the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

c. The monthly throughput of distillate fuel products through the storage tanks.

d. The annual throughput of distillate fuel products through the storage tanks calculated monthly as the sum of each consecutive 12-month period. Compliance with the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

2. The Internal Floating Roof Inspection records shall identify the storage tank on which the inspection was performed and shall contain the date the tank(s) was inspected, the observed condition of each component of the control equipment (floating roof, seals, and fittings), and the dates and nature of any repairs which were made.

3. Maintain records of the types of petroleum liquids stored, the average monthly storage temperature and true vapor pressure of the liquid as stored, and the results of the inspections performed.

(9VAC5-80-110 E and 40 CFR 64.9(b), and Condition 19 of the November 29, 2011 NSR Permit)

F. Recordkeeping – Loading Rack (LR-1)

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Regional Air Compliance Manager of the DEQs NRO. These records shall include, but are not limited to:

a. The monthly throughput of gasoline or lower vapor pressure products and ethanol through the loading rack (LR-1).

b. The annual throughput of gasoline or lower vapor pressure products and ethanol through the loading rack (LR-1) calculated monthly as the sum of each consecutive 12-month period. Compliance with the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months

c. A record of the chamber temperature or ultraviolet readings of the VCU as required in Condition III.D.1 of this permit shall be kept.

(9VAC5-80-110 E and 40 CFR 64.9(b), and Condition 19 of the November 29, 2011 NSR Permit)

2. Compliance Assurance Monitoring (CAM) Recordkeeping - The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan (QIP) required pursuant to 40 CFR 64.8 and any activities undertaken to implement a quality improvement plan (QIP), and other supporting information required to be maintained under this part (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).

(9VAC5-80-110 E, 40 CFR 64.6 (c))

G. Testing

1. The VCU shall be constructed to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided when requested at the appropriate locations or in accordance with the applicable performance specification.

(9VAC5-80-110 E, 40 CFR 64.6 (c), and Condition 17 of the November 29, 2011 NSR Permit)

2. In lieu of installing and operating a VOC Continuous Emissions Monitoring System (CEMS), the permittee shall conduct a compliance test on an annual basis (no greater than twelve months between successive performance tests) to measure VOC emissions at the VCU.

(9VAC5-80-110 E, 40 CFR 64.6 (c), and Condition 18 of the November 29, 2011 NSR Permit)

3. VOC emissions shall be tested at the outlet of the VCU to demonstrate an emission rate no greater than the 10 mg/L of gasoline.

(9VAC5-80-110 and Condition 18 of the NSR permit dated November 29, 2011)

4. A written performance test protocol shall be submitted to the Regional Air Compliance Manager of the DEQs NRO, at the address given in Condition III.C.3 of this permit for approval at least thirty days prior to the date scheduled to conduct the performance evaluation.

(9VAC5-80-110 and Condition 18 of the NSR permit dated November 29, 2011)

5. Sixty days following the completion of the testing, the owner shall provide the Regional Air Compliance Manager of the DEQs NRO, with one hard copy of the performance test report and one copy of the performance test report on electronic media to the address specified in Condition III.C.3 of this permit,

(9VAC5-80-110 and Condition 18 of the NSR permit dated November 29, 2011)

6. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.

(9VAC5-80-110 E, 40 CFR 64.6 (c), and Condition 18 of the November 29, 2011 NSR Permit)

H. Notifications

1. The permittee shall furnish notification to the Air Compliance Manager, of the DEQs NRO, at the address given in Condition III.C.3 of this permit, of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which results in excess emissions for more than one hour, at least twenty-four hours prior to the shutdown. The notification shall include, but is not limited to, the following information:

    a. Identification of the air pollution control equipment to be taken out of service, as well as its location, and registration number;

    b. The expected length of time that the air pollution control equipment will be out of service,

    c. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period,

    d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.

(9VAC5-20-180 B, 9VAC5-40-5310, and Condition 20 of the November 29, 2011 NSR Permit)

2. The permittee shall furnish notification to the Regional Air Compliance Manager, of the DEQs NRO, at the address given in Condition III.C.3 of this permit, of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by email, facsimile transmission, telephone, or telegraph.

    a. Such notification shall be made as soon as practicable but not later than four daytime business hours of the malfunction.

    b. Within fourteen days of the occurrence, the permittee shall provide a written statement to the Air Compliance Manager, of the DEQs NRO, at the address given in Condition III.C.3 of this permit, giving all pertinent facts, including the estimated duration of the breakdown.

    c. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Regional Air Compliance Manager, of the DEQs NRO in writing, at the address given in Condition III.C.3 of this permit.

(9VAC5-20-180B, 9VAC5-40-5310, and Condition 21 of the November 29, 2011 NSR Permit)

3. Post Inspection Notifications

    a. If, after an inspection, it is determined that a defect is present, TransMontaigne Operating Company, LP – Fairfax Terminal shall notify the Regional Air Compliance Manager, of the DEQs NRO, at the address given in Condition III.C.3 of this permit, in writing within 30 days of the inspection.

    b. The notification shall identify the tank, the nature of the defect(s), the date the tank was emptied or will be emptied, and the nature and date the repair was or will be made.

    c. The notification shall also include, if necessary, the request for a thirty day extension to empty and/or repair the tank

(9VAC5-80-110 and Condition 21 of the November 29, 2011 NSR Permit)

I. Reporting – Compliance Assurance Monitoring (CAM) Reporting

1. The permittee shall submit CAM reports as part of the Title V semi-annual monitoring reports required by Condition VII.C.3 of this permit to the Regional Air Compliance Manager, of the DEQs NRO, at the address given in Condition III.C.3 of this permit. Such reports shall include at a minimum

    a. A summary of the information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

    b. An information summary on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

    c. A description of the actions taken to implement a quality improvement plan (QIP) during the reporting period as specified in 40 CFR 64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

(9VAC5-80-110 F and 40 CFR 64.9(a))

IV. Facility Wide Conditions

A. Limitations

1. The permittee shall operate the facility in such a manner that the parameters used in the applicability equation in 40 CFR 63.420(a)(1) are not exceeded for any thirty day rolling average, as documented by the results of ET < 1 (40 CFR 63.420(d)). The facility is exempt from the requirements of Subpart R, except that the permittee shall:

a. Operate the facility such that none of the facility parameters used to calculate the results under paragraph (a)(1) of 40 CFR 63.420 and approved by DEQ are exceeded in any thirty day period, and

b. Maintain records as specified in Condition VII.D.1, below.

(9VAC5-80-100.A and 9VAC5-80-110.F)

2. No owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than 20% opacity, except for one 6-minute period in any one hour of not more than 30% opacity. Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section.

(9VAC5-50-80)

3. During the construction, modification, or operation phase of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne.

(9VAC5-50-90)

4. The annual VOC emissions from the facility shall not exceed 97.32 tons per year (this annual limit does not including the fugitive VOC emissions from the truck loading estimated in Condition IV.A.5 below).. Compliance with this condition shall be determined using the tanks emissions as determined following Condition IV.B below and the emissions from the most recent emission testing at the VCU outlet.

(9VAC5-80-1180, 9VAC5-50-260, 9VAC5-80-110, and Condition 13 of the November 29, 2011 NSR Permit)

5. This permit recognizes that fugitive VOC emissions of an additional 8 mg/l of gasoline, as reflected in EPA 450/2-78-051, are known to be emitted from a vapor tight cargo tank during loading operations, therefore, an additional maximum of 33.38 tons/yr of VOC fugitive emissions (based on 8 mg/l and 1,000,000,000 gallons of gasoline throughput and negligible contribution from distillate fuel oil) may be emitted from trucks during the loading operation. This estimate of maximum VOC fugitive emissions is not an enforceable limit of this permit, and is only to be used for emission inventory calculations and fee determinations.

(9VAC5-80-1180, 9VAC5-50-260, and Condition 13 of the November 29, 2011 NSR Permit)

6. VOC Work Practice Standards – At all times the disposal of VOCs shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. VOCs shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution practices for minimizing emissions.

(9VAC5-80-1180 and Condition 4 of the November 29, 2011 NSR Permit)

B. Monitoring

Annual emissions from the tanks shall be estimated by the throughput of the tanks and by the current version of the EPA TANKS model or an acceptable alternative. Such results are for emission inventory purposes. EPA and DEQ shall mutually determine acceptability of any alternative method for tank emissions estimations. (9VAC5-80-110.B.5, 9VAC5-80-110.A.3, and 9VAC5-80-110.B.1)

C. Recordkeeping

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Regional Air Compliance Manager of the DEQs NRO. These records shall include, but are not limited to:

    a. A record of the monthly throughput of gasoline or lower vapor pressure products and ethanol through the storage tanks.

    b. The annual throughput of gasoline or lower vapor pressure products and ethanol through the loading rack (LR-1) calculated monthly as the sum of each consecutive 12-month period. Compliance with the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

    c. A record of the monthly throughput of distillate fuel products through the storage tanks.

    d. A record of the monthly throughput of distillate fuel products through the storage tanks monthly as the sum of each consecutive 12-month period. Compliance with the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

    e. Internal Floating Roof Inspection records shall identify the storage tank on which the inspection was performed and shall contain the date the tank(s) was inspected and the observed condition of each component of the control equipment (floating roof, seals, and fittings).

    f. A record of the chamber temperature or ultraviolet readings of the VCU as required in III.D.1 of this permit shall be kept.

    g. Maintain records of the types of petroleum liquids stored, the average monthly storage temperature and true vapor pressure of the liquid as stored, and the results of the inspections performed.

(9VAC5-50-50, 9VAC5-80-110 and Conditions 14 and 19 of November 29, 2011 NSR permit)

D. Testing

1. The VCU shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9VAC5-40-30, 9VAC5-80-110, and Condition 17 of the November 29, 2011 NSR permit)

2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.

(9VAC5-80-110)

V. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9VAC5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9VAC5-80-720 B)	Rated Capacity (gal) 9VAC5-80-720 C)
—	Island for loading diesel trucks	9VAC5-40-5200 C	VOC	—
TK-103	Vertical fixed roof	9VAC5-40-5200 C	VOC	3,377,346
TK-107	Vertical fixed roof	9VAC5-40-5200 C	VOC	16,422
TK-108	Horizontal fixed roof	9VAC5-40-5200 C	VOC	3,528
TK-113	Horizontal fixed roof	9VAC5-40-5200 C	VOC	6,006
TK-114	Horizontal fixed roof	9VAC5-40-5200 C	VOC	924
TK-115	Horizontal fixed roof	9VAC5-40-5200 C	VOC	3,990
TK-116	Horizontal fixed roof	9VAC5-40-5200 C	VOC	2,016
TK-117	Horizontal fixed roof	9VAC5-40-5200 C		10,347

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9VAC5-80-110. (9VAC5-80-110)

VI. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
9 VAC 5-40-3410 through 3550	Emission Standards for VOC Storage and Transfer Operations	Since the provisions under petroleum liquids storage or transfer apply, and support tanks are less than 40,000 gallons capacity Article 25 does not apply (9 VAC 5-40-3410.C)
40 CFR 60, Subparts Ka and Kb Gasoline Storage Tanks	NSPS for storage vessels for petroleum liquids/volatile organic liquids	All gasoline storage tanks with exception of TK-111 and TK-112 were constructed prior to June 11, 1973
40 CFR 63, Subpart R	National Emission Standards for Gasoline Distribution – Stage I	The source is exempt from the requirements of Subpart R, but must demonstrate continued exemption. Potential emissions are below 10 TPY for a single HAP, and below 25 TPY for a combination of all HAPs. Additionally the ET = 0.86772 which is less than the exemption number of 1.
40 CFR 68	Accidental Release Prevention Requirements: Section 112(r)	Petroleum Liquids (gasoline, diesel fuel, jet fuel, etc.) are not subject to this rule.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9VAC5-80-140)

VII. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9VAC5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9VAC5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9VAC5 Chapter 80, until the Board takes final action on the application under 9VAC5-80-150.

3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9VAC5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9VAC5 Chapter 80.

4. If an applicant submits a timely and complete application under section 9VAC5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9VAC5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

5. The protection under subsections F 1 and F 5 (ii) of section 9VAC5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9VAC5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

   a. The date, place as defined in the permit, and time of sampling or measurements.

   b. The date(s) analyses were performed.

   c. The company or entity that performed the analyses.

   d. The analytical techniques or methods used.

   e. The results of such analyses.

   f. The operating conditions existing at the time of sampling or measurement.

(9VAC5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9VAC5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

   a. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

   b. For purpose of this permit, all deviations from the permit requirements shall include, but are not limited to:

      (1) Exceedance of emissions limitations or operational restrictions;

      (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,

      (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9VAC5-80-110 F)

D. Annual Compliance Certification

1. Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

   a. The time period included in the certification. The time period to be addressed is January 1 to December 31.

   b. The identification of each term or condition of the permit that is the basis of the certification.

   c. The compliance status.

   d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

   e. Consistent with subsection 9VAC5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.

   f. Such other facts as the permit may require in determining the compliance status of the source.

2. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

   R3_APD_Permits@epa.gov

(9VAC5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Air Compliance Manager, of the DEQs NRO within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit, by email, facsimile transmission, telephone or telegraph. In addition, within 14 days of the discovery, the permittee shall provide to the Air Compliance Manager, of the DEQs NRO at the address given in Condition III.C.3 of this permit a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VII.C.3 of this permit.
(9VAC5-80-110 F.2 and 9VAC5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Air Compliance Manager, of the DEQs NRO by email, facsimile transmission, telephone or telegraph of such failure or malfunction. Additionally, the permittee shall within 14 days of discovery provide a written statement to the Air Compliance Manager, of the DEQs NRO at the address given in Condition III.C.3 of this permit giving all pertinent facts, including the estimated duration of the breakdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Air Compliance Manager, of the DEQs NRO in writing at the address given in Condition III.C.3 of this permit.
(9VAC5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9VAC5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9VAC5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9VAC5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9VAC5-80-50, 9VAC5-80-1100, 9VAC5-80-1605, or 9VAC5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenario(s).
(9VAC5-80-190 and 9VAC5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9VAC5-80-110 G.5)

L. Duty to Submit Information

The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9VAC5-80-110 G.6)

Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9VAC5-80-80 G.
(9VAC5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9VAC5-80-50 through 9VAC5-80-300 was issued shall pay permit fees consistent with the requirements of 9VAC5-80-310 through 9VAC5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9VAC5-80-110 H and 9VAC5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,

5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9VAC5-40-90 and 9VAC5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9VAC5-40-20 E and 9VAC5-50-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described

in 9VAC5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9VAC5 Chapter 80, Article 1. (9VAC5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable time's substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9VAC5-80-110 K.2)

R. Reopening For Cause

1. The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9VAC5-80-80 F.

2. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

3. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

4. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9VAC5-80-110 D.

(9VAC5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9VAC5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9VAC5-80-130, or from one piece of equipment to another.

(9VAC5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9VAC5-80-200.

(9VAC5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9VAC5-80-200.

(9VAC5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

   a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

   b. The permitted facility was at the time being properly operated.

   c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9VAC5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9VAC5-20-180 C.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9VAC5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9VAC5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.
(9VAC5-80-190 C and 9VAC5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9VAC5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9VAC5-60-70 and 9VAC5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9VAC5-80-110 I)

BB. Emissions Trading

1. Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

   a. All terms and conditions required under 9VAC5-80-110, except subsection N, shall be included to determine compliance.

   b. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.

   c. The owner shall meet all applicable requirements including the requirements of 9VAC5-80-50 through 9VAC5-80-300.

(9VAC5-80-110 I)

VIII. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements

of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

The requirements of this section are essentially “state only”. A requirement which was not specifically addressed and not federally enforceable but not applicable to state requirement is the regulation on odorous emissions (9 VAC 5-40-130).
(9 VAC 5-80-110N)
(9VAC5-80-110 N and 9VAC5-80-300)

SOURCE TESTING REPORT FORMAT

Cover
1. Plant name and location
2. Units tested at source (indicate Ref. No. used by source in permit or registration)
3. Tester name, address and report date

Certification
1. Signed by team leader / certified observer (include certification date)
* 2. Signed by reviewer

Introduction
1. Test purpose
2. Test location, type of process
3. Test dates
* 4. Pollutants tested
5. Test methods used
6. Observers' names (industry and agency)
7. Any other important background information

Summary of Results
1. Pollutant emission results / visible emissions summary
2. Input during test vs. rated capacity
3. Allowable emissions
* 4. Description of collected samples, to include audits when applicable
5. Discussion of errors, both real and apparent

Source Operation
1. Description of process and control devices
2. Process and control equipment flow diagram
3. Process and control equipment data

* Sampling and Analysis Procedures
1. Sampling port location and dimensioned cross section
2. Sampling point description
3. Sampling train description
4. Brief description of sampling procedures with discussion of deviations from standard methods
5. Brief description of analytical procedures with discussion of deviation from standard methods

Appendix
* 1. Process data and emission results example calculations
2. Raw field data
* 3. Laboratory reports
4. Raw production data
* 5. Calibration procedures and results
6. Project participants and titles
7. Related correspondence
8. Standard procedures

_____
* Not applicable to visible emission evaluations.